

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

JAMES CARNICELLI, JR., :

Plaintiff, :

vs. :

JOHN J. FARERI, JULIE FARERI, CHRISTOPHER
SHESKIER, and THE GATEWAY
DEVELOPMENT GROUP, INC., :

Civil Action No. 3:21-cv-00792-RNC

Defendants; :

and :

JAMES CARNICELLI, JR., :

Derivative Plaintiff, :

vs. :

JOHN J. FARERI, JULIE FARERI, and
CHRISTOPHER SHESKIER, :

Derivative Defendants, :

and :

THE GATEWAY DEVELOPMENT GROUP, INC., :

Nominal Defendant :

July 16, 2021

**MOTION TO WITHDRAW PLAINTIFF'S
MOTION TO REMAND PURSUANT TO 28 U.S.C. § 1452**

Plaintiff James Carnicelli, Jr. ("Mr. Carnicelli"), by and through his undersigned counsel, respectfully moves the Court to withdraw his motion to remand this Action back to the Connecticut Superior Court in the Judicial District of Stamford/Norwalk at Stamford, without prejudice. The Motion was filed on June 16, 2021. See Dkt. No. 13.

After good faith discussions with the Chapter 7 Trustee, Mr. Carnicelli has also agreed to (i) file a motion to withdraw his opposition to the Trustee's motion to transfer venue in this Action and (ii) file a motion to withdraw the motion to dismiss filed in the related bankruptcy case, *In re The Gateway Development Group, Inc.* Case No. 21-222304 (RDD).

Respectfully submitted,
JAMES CARNICELLI, JR.

By: /s/ Joseph M. Pastore III
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 16, 2021 a copy of the foregoing Motion to Withdraw the Motion to Remand was served on the following parties by email:

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/s/ Joseph M. Pastore
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